IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2257 OF 2005

BRIGHT METAL INDUSTRIES ... PETITIONERS

VERSUS

MUNICIAL CORPORATION OF GREATER BOMBAY ... RESPONDENTS

Ms. Neeta Madhyani i/b. S.M. Associates for the petitioners.

Ms. A.R.Joshi for B.M.C.

CORAM: S.K.SHAH,J.

DATE : 20th October,2005.

P.C.

1. Hreard.

2. The learned Counsel for the Petitioners states that the Petitioners will file an appeal in the Court of Small Causes against the order of the Investigating Officer dated 16.12.2004 within 15 days from today. The Respondents shall not raise the point of delay in filing the appeal in the Court of Small Causes.

3. As regards the Warrant for recovery of taxes is

concerned, the Warrant shall not be executed against the Petitioners to the extent of the Peitioners' share in the property.

4. The learned Counsel for the Respondents submits that the application for sub-division of the property is under consideration and the sub-division is under process. The Respondents shall make a fresh demand of taxes from the Petitioners to the extent of the Petitioners' property.

Writ Petition disposed of accordingly.

(S.K.SHAH,J.)